

State of Arizona  
Senate  
Fifty-third Legislature  
First Regular Session  
2017

**CHAPTER 174**  
**SENATE BILL 1362**

AN ACT

AMENDING SECTION 32-1201, ARIZONA REVISED STATUTES; REPEALING SECTION 32-1211, ARIZONA REVISED STATUTES; AMENDING SECTIONS 32-1233, 32-1240, 32-1281, 32-1285, 32-1289.01, 32-1291.01, 32-1292.01 AND 36-3611, ARIZONA REVISED STATUTES; RELATING TO THE STATE BOARD OF DENTAL EXAMINERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-1201, Arizona Revised Statutes, is amended to  
3 read:

4 32-1201. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "AFFILIATED PRACTICE DENTAL HYGIENIST" MEANS ANY LICENSED DENTAL  
7 HYGIENIST WHO IS ABLE, PURSUANT TO SECTION 32-1289.01, TO INITIATE  
8 TREATMENT BASED ON THE DENTAL HYGIENIST'S ASSESSMENT OF A PATIENT'S NEEDS  
9 ACCORDING TO THE TERMS OF A WRITTEN AFFILIATED PRACTICE AGREEMENT WITH A  
10 DENTIST, TO TREAT THE PATIENT WITHOUT THE PRESENCE OF A DENTIST AND TO  
11 MAINTAIN A PROVIDER-PATIENT RELATIONSHIP.

12 ~~1.~~ 2. "Auxiliary personnel" means all dental assistants, dental  
13 technicians, dental x-ray technicians and other persons employed by  
14 dentists or firms and businesses providing dental services to dentists.

15 ~~2.~~ 3. "Board" means the state board of dental examiners.

16 ~~3.~~ 4. "Business entity" means a business organization that has an  
17 ownership that includes any persons who are not licensed or certified to  
18 provide dental services in this state, that offers to the public  
19 professional services regulated by the board and that is established  
20 pursuant to the laws of any state or foreign country.

21 ~~4.~~ 5. "Dental assistant" means any person who acts as an assistant  
22 to a dentist or a dental hygienist by rendering personal services to a  
23 patient that involve close proximity to the patient while the patient is  
24 under treatment or observation or undergoing diagnostic procedures.

25 ~~5.~~ 6. "Dental hygienist" means any person licensed and engaged in  
26 the general practice of dental hygiene and all related and associated  
27 duties, including educational, clinical and therapeutic dental hygiene  
28 procedures.

29 ~~6.~~ 7. "Dental incompetence" means lacking in sufficient dentistry  
30 knowledge or skills, or both, in that field of dentistry in which the  
31 dentist, denturist or dental hygienist concerned engages, to a degree  
32 likely to endanger the health of that person's patients.

33 ~~7.~~ 8. "Dental laboratory technician" means any person, other than  
34 a licensed dentist, who, pursuant to a written work order of a dentist,  
35 fabricates artificial teeth, prosthetic appliances or other mechanical and  
36 artificial contrivances designed to correct or alleviate injuries or  
37 defects, both developmental and acquired, disorders or deficiencies of the  
38 human oral cavity, teeth, investing tissues, maxilla or mandible or  
39 adjacent associated structures.

40 ~~8.~~ 9. "Dental x-ray laboratory technician" means any person, other  
41 than a licensed dentist, who, pursuant to a written work order of a  
42 dentist, performs dental and maxillofacial radiography, including  
43 cephalometrics, panoramic and maxillofacial tomography and other dental  
44 related non-fluoroscopic diagnostic imaging modalities.

1           ~~9.~~ 10. "Dentistry", "dentist" and "dental" means the general  
2 practice of dentistry and all specialties or restricted practices of  
3 dentistry.

4           ~~10.~~ 11. "Denturist" means a person practicing denture technology  
5 pursuant to article 5 of this chapter.

6           ~~11.~~ 12. "Disciplinary action" means regulatory sanctions that are  
7 imposed by the board in combination with, or as an alternative to,  
8 revocation or suspension of a license and that may include:

9           (a) Imposition of an administrative penalty in an amount not to  
10 exceed two thousand dollars for each violation of this chapter or rules  
11 adopted under this chapter.

12           (b) Imposition of restrictions on the scope of practice.

13           (c) Imposition of peer review and professional education  
14 requirements.

15           (d) Imposition of censure or probation requirements best adapted to  
16 protect the public welfare, which may include a requirement for  
17 restitution to the patient resulting from violations of this chapter or  
18 rules adopted under this chapter.

19           ~~12.~~ 13. "Irregularities in billing" means submitting any claim,  
20 bill or government assistance claim to any patient, responsible party or  
21 third-party payor for dental services rendered that is materially false  
22 with the intent to receive unearned income as evidenced by any of the  
23 following:

24           (a) Charges for services not rendered.

25           (b) Any treatment date that does not accurately reflect the date  
26 when the service and procedures were actually completed.

27           (c) Any description of a dental service or procedure that does not  
28 accurately reflect the actual work completed.

29           (d) Any charge for a service or procedure that cannot be clinically  
30 justified or determined to be necessary.

31           (e) Any statement that is material to the claim and that the  
32 licensee knows is false or misleading.

33           (f) An abrogation of the copayment provisions of a dental insurance  
34 contract by a waiver of all or a part of the copayment from the patient if  
35 this results in an excessive or fraudulent charge to a third party or if  
36 the waiver is used as an enticement to receive dental services from that  
37 provider. This subdivision does not interfere with a contractual  
38 relationship between a third-party payor and a licensee or business entity  
39 registered with the board.

40           (g) Any other practice in billing that results in excessive or  
41 fraudulent charges to the patient.

42           ~~13.~~ 14. "Letter of concern" means an advisory letter to notify a  
43 licensee or a registered business entity that, while the evidence does not  
44 warrant disciplinary action, the board believes that the licensee or  
45 registered business entity should modify or eliminate certain practices

1 and that continuation of the activities that led to the information being  
2 submitted to the board may result in board action against the  
3 practitioner's license or the business entity's registration. A letter of  
4 concern is not a disciplinary action. A letter of concern is a public  
5 document and may be used in a future disciplinary action.

6 ~~14.~~ 15. "Licensed" means licensed pursuant to this chapter.

7 ~~15.~~ 16. "Place of practice" means each physical location at which  
8 a person licensed pursuant to this chapter performs services subject to  
9 this chapter.

10 ~~16.~~ 17. "Primary mailing address" means the address on file with  
11 the board and to which official board correspondence, notices or documents  
12 are delivered in a manner determined by the board.

13 ~~17.~~ 18. "Recognized dental hygiene school" means a school that has  
14 a dental hygiene program with a minimum two academic year curriculum, or  
15 the equivalent of four semesters, and that is approved by the board and  
16 accredited by the American dental association commission on dental  
17 accreditation.

18 ~~18.~~ 19. "Recognized dental school" means a dental school  
19 accredited by the American dental association commission on dental  
20 accreditation.

21 ~~19.~~ 20. "Recognized denturist school" means a denturist school  
22 that maintains standards of entrance, study and graduation and that is  
23 accredited by the United States department of education or the council on  
24 higher education accreditation.

25 ~~20.~~ 21. "Supervised personnel" means all dental hygienists, dental  
26 assistants, dental laboratory technicians, denturists, dental x-ray  
27 laboratory technicians and other persons supervised by licensed dentists.

28 ~~21.~~ 22. "Teledentistry" means the use of data transmitted through  
29 interactive audio, video or data communications for the purposes of  
30 EXAMINATION, diagnosis, treatment planning, consultation and directing the  
31 delivery of treatment by dentists and dental providers in settings  
32 permissible under this chapter or specified in rules adopted by the board.

33 Sec. 2. Repeal

34 Section 32-1211, Arizona Revised Statutes, is repealed.

35 Sec. 3. Section 32-1233, Arizona Revised Statutes, is amended to  
36 read:

37 32-1233. Applicants for licensure; examination requirements

38 An applicant for licensure shall have passed all of the following:

39 1. The written national dental board examinations.

40 2. The western regional examining board examination OR A CLINICAL  
41 EXAMINATION ADMINISTERED BY ANOTHER STATE OR REGIONAL TESTING AGENCY IN  
42 THE UNITED STATES within five years preceding filing the application.

43 3. The Arizona dental jurisprudence examination.

1           Sec. 4. Section 32-1240, Arizona Revised Statutes, is amended to  
2 read:

3           32-1240. Licensure by credential; examinations; waiver; fee

4           A. The board by rule may waive the examination requirements of this  
5 article on receipt of evidence satisfactory to the board that the  
6 applicant has passed the clinical examination of another state or testing  
7 agency **MORE THAN FIVE YEARS BEFORE SUBMITTING AN APPLICATION FOR LICENSURE**  
8 **PURSUANT TO THIS CHAPTER** and ~~either:~~

9           ~~i.~~ the other state or testing agency maintains a standard of  
10 licensure that is substantially equivalent to that of this state as  
11 determined by the board. The board by rule shall require:

12           ~~(a)~~ 1. A minimum number of active practice hours within a specific  
13 time period before the applicant submits the application. The board shall  
14 define what constitutes active practice.

15           ~~(b)~~ 2. An affirmation that the applicant has completed the  
16 continuing education requirements of the jurisdiction where the applicant  
17 is licensed.

18           ~~2. The applicant has acquired a certificate or other evidence of~~  
19 ~~successful completion of a board approved examination not more than five~~  
20 ~~years before submitting an application for licensure pursuant to this~~  
21 ~~chapter.~~

22           B. The applicant shall pay a licensure by credential fee of **NOT**  
23 **MORE THAN** two thousand dollars **AS PRESCRIBED BY THE BOARD**.

24           Sec. 5. Section 32-1281, Arizona Revised Statutes, is amended to  
25 read:

26           32-1281. Practicing as dental hygienist; supervision  
27 requirements; definitions

28           A. A person is deemed to be practicing as a dental hygienist if the  
29 person does any of the acts or performs any of the operations included in  
30 the general practice of dental hygienists, dental hygiene and all related  
31 and associated duties.

32           B. A licensed dental hygienist may perform the following:

- 33           1. Prophylaxis.
- 34           2. Scaling.
- 35           3. Closed subgingival curettage.
- 36           4. Root planing.
- 37           5. Administering local anesthetics and nitrous oxide.
- 38           6. Inspecting the oral cavity and surrounding structures for the  
39 purposes of gathering clinical data to facilitate a diagnosis.
- 40           7. Periodontal screening or assessment.
- 41           8. Recording of clinical findings.
- 42           9. Compiling case histories.
- 43           10. Exposing and processing dental radiographs.
- 44           11. All functions authorized and deemed appropriate for dental  
45 assistants.

1 12. EXCEPT AS PROVIDED IN PARAGRAPH 13 OF THIS SUBSECTION, those  
2 restorative functions permissible for an expanded function dental  
3 assistant if qualified pursuant to section 32-1291.01.

4 13. PLACING INTERIM THERAPEUTIC RESTORATIONS AFTER SUCCESSFUL  
5 COMPLETION OF A COURSE COMPLETED AT AN INSTITUTION ACCREDITED BY THE  
6 COMMISSION ON DENTAL ACCREDITATION OF THE AMERICAN DENTAL ASSOCIATION.

7 C. The board by rule shall prescribe the circumstances under which  
8 a licensed dental hygienist may:

9 1. Apply preventive and therapeutic agents, used in relation to  
10 dental hygiene procedures, to the hard and soft tissues.

11 2. Use emerging scientific technology and prescribe the necessary  
12 training, experience and supervision to operate newly developed scientific  
13 technology. A dentist who supervises a dental hygienist whose duties  
14 include the use of emerging scientific technology must have training on  
15 the use of the emerging technology that is equal to or greater than the  
16 training the dental hygienist is required to obtain.

17 3. Perform other procedures not specifically authorized by this  
18 section.

19 D. Except as provided in subsections E and ~~G~~ H of this section, a  
20 dental hygienist shall practice under the general supervision of a dentist  
21 licensed pursuant to this chapter.

22 ~~E. Dental hygienists shall practice under the direct supervision of~~  
23 ~~a dentist licensed pursuant to this chapter when performing the following~~  
24 ~~procedures and after completing a course of study recognized by the board:~~

25 ~~1. Administering local anesthetics. A dental hygienist may~~  
26 ~~administer local anesthetics to a patient of record under general~~  
27 ~~supervision if all of the following are true:~~

28 ~~(a) The patient is at least eighteen years of age.~~

29 ~~(b) The patient has been examined by a dentist licensed pursuant to~~  
30 ~~this chapter within the previous twelve months.~~

31 ~~(c) There has been no change in the patient's medical history since~~  
32 ~~the last examination. If there has been a change in the patient's medical~~  
33 ~~history within that time, the dental hygienist must consult with the~~  
34 ~~dentist before administering local anesthetics.~~

35 ~~(d) The supervising dentist who performed the examination has~~  
36 ~~approved the patient for the administration of local anesthetics by a~~  
37 ~~dental hygienist under general supervision and documented this approval in~~  
38 ~~the patient's record.~~

39 ~~2. Administering nitrous oxide analgesia.~~

40 E. A DENTAL HYGIENIST MAY PERFORM THE FOLLOWING PROCEDURES ON  
41 MEETING THE FOLLOWING CRITERIA AND UNDER THE FOLLOWING CONDITIONS:

42 1. THE ADMINISTRATION OF LOCAL ANESTHETICS UNDER THE DIRECT  
43 SUPERVISION OF A DENTIST LICENSED PURSUANT TO THIS CHAPTER AFTER:

44 (a) THE DENTAL HYGIENIST SUCCESSFULLY COMPLETES A COURSE IN THE  
45 ADMINISTRATION OF LOCAL ANESTHETICS THAT INCLUDES DIDACTIC AND CLINICAL

1 COMPONENTS IN BOTH BLOCK AND INFILTRATION TECHNIQUES OFFERED BY A DENTAL  
2 OR DENTAL HYGIENE PROGRAM ACCREDITED BY THE COMMISSION ON DENTAL  
3 ACCREDITATION OF THE AMERICAN DENTAL ASSOCIATION.

4 (b) THE DENTAL HYGIENIST SUCCESSFULLY COMPLETES AN EXAMINATION IN  
5 LOCAL ANESTHESIA GIVEN BY THE WESTERN REGIONAL EXAMINING BOARD OR A  
6 WRITTEN AND CLINICAL EXAMINATION OF ANOTHER STATE OR REGIONAL EXAMINATION  
7 THAT IS SUBSTANTIALLY EQUIVALENT TO THE REQUIREMENTS OF THIS STATE, AS  
8 DETERMINED BY THE BOARD.

9 (c) THE BOARD ISSUES TO THE DENTAL HYGIENIST A LOCAL ANESTHESIA  
10 CERTIFICATE ON RECEIPT OF PROOF THAT THE REQUIREMENTS OF SUBDIVISIONS (a)  
11 AND (b) OF THIS PARAGRAPH HAVE BEEN MET.

12 2. THE ADMINISTRATION OF LOCAL ANESTHETICS UNDER GENERAL  
13 SUPERVISION TO A PATIENT OF RECORD IF ALL OF THE FOLLOWING ARE TRUE:

14 (a) THE DENTAL HYGIENIST HOLDS A LOCAL ANESTHESIA CERTIFICATE  
15 ISSUED BY THE BOARD.

16 (b) THE PATIENT IS AT LEAST EIGHTEEN YEARS OF AGE.

17 (c) THE PATIENT HAS BEEN EXAMINED BY A DENTIST LICENSED PURSUANT TO  
18 THIS CHAPTER WITHIN THE PREVIOUS TWELVE MONTHS.

19 (d) THERE HAS BEEN NO CHANGE IN THE PATIENT'S MEDICAL HISTORY SINCE  
20 THE LAST EXAMINATION. IF THERE HAS BEEN A CHANGE IN THE PATIENT'S MEDICAL  
21 HISTORY WITHIN THAT TIME, THE DENTAL HYGIENIST MUST CONSULT WITH THE  
22 DENTIST BEFORE ADMINISTERING LOCAL ANESTHETICS.

23 (e) THE SUPERVISING DENTIST WHO PERFORMED THE EXAMINATION HAS  
24 APPROVED THE PATIENT FOR THE ADMINISTRATION OF LOCAL ANESTHETICS BY THE  
25 DENTAL HYGIENIST UNDER GENERAL SUPERVISION AND HAS DOCUMENTED THIS  
26 APPROVAL IN THE PATIENT'S RECORD.

27 3. THE ADMINISTRATION OF NITROUS OXIDE ANALGESIA UNDER THE DIRECT  
28 SUPERVISION OF A DENTIST LICENSED PURSUANT TO THIS CHAPTER AFTER:

29 (a) THE DENTAL HYGIENIST SUCCESSFULLY COMPLETES A COURSE IN THE  
30 ADMINISTRATION OF NITROUS OXIDE ANALGESIA THAT INCLUDES DIDACTIC AND  
31 CLINICAL COMPONENTS OFFERED BY A DENTAL OR DENTAL HYGIENE PROGRAM  
32 ACCREDITED BY THE COMMISSION ON DENTAL ACCREDITATION OF THE AMERICAN  
33 DENTAL ASSOCIATION.

34 (b) THE BOARD ISSUES TO THE DENTAL HYGIENIST A NITROUS OXIDE  
35 ANALGESIA CERTIFICATE ON RECEIPT OF PROOF THAT THE REQUIREMENTS OF  
36 SUBDIVISION (a) OF THIS PARAGRAPH HAS BEEN MET.

37 F. THE BOARD MAY ISSUE LOCAL ANESTHESIA AND NITROUS OXIDE ANALGESIA  
38 CERTIFICATES TO A LICENSED DENTAL HYGIENIST ON RECEIPT OF EVIDENCE  
39 SATISFACTORY TO THE BOARD THAT THE DENTAL HYGIENIST HOLDS A VALID  
40 CERTIFICATE OR CREDENTIAL IN GOOD STANDING IN THE RESPECTIVE PROCEDURE  
41 ISSUED BY A LICENSING BOARD OF ANOTHER JURISDICTION OF THE UNITED STATES  
42 THAT MAINTAINS A STANDARD OF CERTIFICATION THAT IS SUBSTANTIALLY  
43 EQUIVALENT TO THAT OF THIS STATE AS DETERMINED BY THE BOARD.

1 ~~F.~~ G. A dental hygienist may perform dental hygiene procedures in  
2 the following settings:

3 1. On a patient of record of a dentist within that dentist's  
4 office.

5 2. Except as prescribed in section ~~32-1289~~ 32-1289.01, in a health  
6 care facility, long-term care facility, public health agency or  
7 institution, public or private school or homebound setting on patients who  
8 have been examined by a dentist within the previous year.

9 ~~G.~~ H. A dental hygienist may provide dental hygiene services under  
10 an affiliated practice relationship with a dentist as prescribed in  
11 section 32-1289.01.

12 ~~H.~~ I. For the purposes of this article:

13 1. "Assessment" means a limited, clinical inspection that is  
14 performed to identify possible signs of oral or systemic disease,  
15 malformation or injury and the potential need for referral for diagnosis  
16 and treatment, **AND MAY INCLUDE THE COLLECTION OF CLINICAL INFORMATION TO  
17 FACILITATE AN EXAMINATION, DIAGNOSIS AND TREATMENT PLAN BY A DENTIST.**

18 2. "Direct supervision" means that the dentist is present in the  
19 office while the dental hygienist is treating a patient and is available  
20 for consultation regarding procedures that the dentist authorizes and for  
21 which the dentist is responsible.

22 3. "General supervision" means that the dentist is available for  
23 consultation, whether or not the dentist is in the dentist's office, over  
24 procedures that the dentist has authorized and for which the dentist  
25 remains responsible.

26 4. "Screening" means the determination of an individual's need to  
27 be seen by a dentist for diagnosis and does not include an examination,  
28 diagnosis or treatment planning.

29 Sec. 6. Section 32-1285, Arizona Revised Statutes, is amended to  
30 read:

31 ~~32-1285.~~ 32-1285. Applicants for licensure; examination requirements

32 An applicant for licensure shall have passed all of the following:

33 1. The national dental hygiene board examination.

34 2. A clinical examination that is completed within five years  
35 preceding filing the application and that is either of the following:

36 (a) The western regional examining board examination.

37 (b) An examination administered by another state or testing agency  
38 that is substantially equivalent to the requirements of this state, as  
39 determined by the board. ~~For the purposes of this subdivision, a clinical  
40 examination administered by another state or testing agency is deemed to  
41 meet the requirements of this subdivision if the clinical examination  
42 satisfies the requirements of section 32-1292.01, subsection A,  
43 paragraph 1.~~

44 3. The Arizona dental jurisprudence examination.





1 patients who have not been seen by a dentist within twelve months of the  
2 initial treatment by the dental hygienist.

3 4. The affiliated practice dental hygienist shall consult with the  
4 affiliated practice dentist before initiating treatment on patients  
5 presenting with a complex medical history or medication regimen.

6 5. The patient shall be informed in writing that the dental  
7 hygienist providing the care is a licensed dental hygienist and that the  
8 care does not take the place of a diagnosis or treatment plan by a  
9 dentist.

10 E. A contract for dental hygiene services with licensees who have  
11 entered into an affiliated practice relationship pursuant to this section  
12 may be entered into only by:

- 13 1. A health care organization or facility.
- 14 2. A long-term care facility.
- 15 3. A public health agency or institution.
- 16 4. A public or private school authority.
- 17 5. A government-sponsored program.
- 18 6. A private nonprofit or charitable organization.
- 19 7. A social service organization or program.

20 F. An affiliated practice dental hygienist may not provide dental  
21 hygiene services in a setting not listed in subsection E of this section.

22 G. Each dentist in an affiliated practice relationship shall:

23 1. Be available to provide an appropriate level of contact,  
24 communication and consultation with the affiliated dental hygienist during  
25 the business hours of the affiliated practice dental hygienist.

26 2. Adopt standing orders applicable to dental hygiene procedures  
27 that may be performed and populations that may be treated by the dental  
28 hygienist under the terms of the applicable affiliated practice agreement  
29 and to be followed by the dental hygienist in each affiliated practice  
30 setting in which the dental hygienist performs dental hygiene services  
31 under the affiliated practice relationship.

32 3. Adopt procedures to provide timely referral of patients referred  
33 by the affiliated practice dental hygienist to a licensed dentist for  
34 examination and treatment planning. If the examination and treatment  
35 planning is to be provided by the dentist, that treatment shall be  
36 scheduled in an appropriate time frame. The affiliated practice dentist  
37 or the dentist to whom the patient is referred shall be geographically  
38 available to see the patient.

39 4. Not permit the provision of dental hygiene services by more than  
40 three affiliated practice dental hygienists at any one time.

41 H. Each affiliated dental hygienist, when practicing under an  
42 affiliated practice relationship:

43 1. May perform only those duties within the terms of the affiliated  
44 practice relationship.



1 association and on ~~successful completion of an examination~~ SUCCESSFULLY  
2 COMPLETING EXAMINATIONS in dental assistant expanded functions ~~that is~~  
3 approved by the board.

4 2. PROVIDING BOTH:

5 (a) EVIDENCE OF CURRENTLY HOLDING OR HAVING HELD WITHIN THE  
6 PRECEDING TEN YEARS A LICENSE, REGISTRATION, PERMIT OR CERTIFICATE ISSUED  
7 BY ANOTHER STATE OR JURISDICTION IN THE UNITED STATES AUTHORIZING THE  
8 PERFORMANCE OF THE EXPANDED FUNCTIONS SPECIFIED IN SUBSECTION B OF THIS  
9 SECTION.

10 (b) PROOF ACCEPTABLE TO THE BOARD OF CLINICAL EXPERIENCE IN THE  
11 EXPANDED FUNCTIONS LISTED IN SUBSECTION B OF THIS SECTION.

12 B. Expanded functions include the placement, contouring and  
13 finishing of direct restorations or the placement and cementation of  
14 prefabricated crowns following the preparation of the tooth by a licensed  
15 dentist. The restorative materials used shall be determined by the  
16 dentist.

17 C. An expanded function dental assistant may place interim  
18 therapeutic restorations under the general supervision and direction of a  
19 licensed dentist following a consultation conducted through teledentistry.

20 D. An expanded function dental assistant may apply sealants and  
21 fluoride varnish under the general supervision and direction of a licensed  
22 dentist.

23 E. A licensed dental hygienist may engage in expanded functions  
24 pursuant to section 32-1281, subsection B, paragraph 12 following a course  
25 of study and examination equivalent to that required for an expanded  
26 function dental assistant as specified by the board.

27 Sec. 9. Section 32-1292.01, Arizona Revised Statutes, is amended to  
28 read:

29 32-1292.01. Licensure by credential; examinations; waiver;  
30 fee

31 A. The board by rule may waive the examination requirements of this  
32 article on receipt of evidence satisfactory to the board that the  
33 applicant has passed the clinical examination of another state or testing  
34 agency MORE THAN FIVE YEARS BEFORE SUBMITTING AN APPLICATION FOR LICENSURE  
35 PURSUANT TO THIS CHAPTER and ~~either:~~

36 ~~1.~~ the other state or testing agency maintains a standard of  
37 licensure that is substantially equivalent to that of this state as  
38 determined by the board. The board by rule shall require:

39 ~~(a)~~ 1. A minimum number of active practice hours within a specific  
40 time period before the applicant submits the application. The board shall  
41 define what constitutes active practice.

42 ~~(b)~~ 2. An affirmation that the applicant has completed the  
43 continuing education requirements of the jurisdiction where the applicant  
44 is licensed.

1           ~~2. The applicant has acquired a certificate or other evidence of~~  
2 ~~successful completion of a board-approved examination not more than five~~  
3 ~~years before submitting an application for licensure pursuant to this~~  
4 ~~chapter.~~

5           B. The applicant shall pay a licensure by credential fee of NOT  
6 MORE THAN one thousand dollars AS PRESCRIBED BY THE BOARD.

7           Sec. 10. Section 36-3611, Arizona Revised Statutes, is amended to  
8 read:

9           36-3611. Definitions

10           In this article, unless the context otherwise requires:

11           1. "Board" means the state board of dental examiners.

12           2. "Dental provider" means a dental hygienist, affiliated practice  
13 dental hygienist or dental assistant who is licensed pursuant to title 32,  
14 chapter 11.

15           3. "Dentist" means a person who is licensed in the general practice  
16 of dentistry pursuant to title 32, chapter 11.

17           4. "Health care decision maker" has the same meaning prescribed in  
18 section 12-2801.

19           5. "Teledentistry" means the use of data transmitted through  
20 interactive audio, video or data communications for the purposes of  
21 EXAMINATION, diagnosis, treatment planning, consultation and directing the  
22 delivery of treatment by dentists and dental providers in settings  
23 permissible under title 32, chapter 11 or specified in rules adopted by  
24 the board.

25           Sec. 11. State board of dental examiners; renewal fee waiver;  
26 delayed repeal

27           A. The state board of dental examiners shall provide a one-time  
28 waiver from license or certificate renewal fees for dentists, denturists  
29 and dental hygienists who are licensed in this state before January  
30 1, 2018.

31           B. The one-time waiver provided in subsection A of this section is  
32 effective for licenses renewing in calendar years 2018, 2019 and 2020.

33           C. This section is repealed from and after December 31, 2020.

APPROVED BY THE GOVERNOR APRIL 18, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 18, 2017.